

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**- against -**

**SAMUEL E. WYLY, DONALD R. MILLER, JR.,  
in his capacity as the Independent Executor of the  
Will and Estate of CHARLES J. WYLY, JR.,  
MICHAEL C. FRENCH and LOUIS J.  
SCHAUFELLE III,**

**Defendants,**

**and**

**CHERYL WYLY, EVAN ACTON WYLY,  
LAURIE WYLY MATTHEWS, DAVID  
MATTHEWS, LISA WYLY, JOHN GRAHAM,  
KELLY WYLY O'DONOVAN, ANDREW  
WYLY, CHRISTIANA WYLY, CAROLINE D.  
WYLY, MARTHA WYLY MILLER, DONALD  
R. MILLER, JR., in his individual capacity,  
CHARLES J. WYLY III, EMILY WYLY  
LINDSEY, JENNIFER WYLY LINCOLN,  
JAMES W. LINCOLN, and PERSONS, TRUSTS,  
LIMITED PARTNERSHIPS, AND OTHER  
ENTITIES KNOWN AND UNKNOWN,**

**Relief Defendants.**

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/30/15**

**10 Civ. 5760 (SAS)**

**ECF CASE**

**SCHEDULING ORDER**

WHEREAS, a jury returned a verdict against Samuel E. Wyly and Donald R. Miller, Jr., in his capacity as the Independent Executor of the Will and Estate of Charles J. Wyly, Jr., for various securities law violations on May 12, 2014;

WHEREAS, this Court issued an initial decision on disgorgement and other relief against Samuel E. Wyly and Donald R. Miller, Jr., in his capacity as the Independent Executor of the Will and Estate of Charles J. Wyly, Jr., on September 25, 2014;

WHEREAS, this Court ordered an Asset Freeze and other relief on November 3, 2014 against, among others, Cheryl Wyly, Evan Acton Wyly, Laurie Wyly Matthews, David Matthews, Lisa Wyly, John Graham, Kelly Wyly O'Donovan, Andrew Wyly, Christiana Wyly, Caroline D. Wyly, Martha Wyly Miller, Donald R. Miller, Jr., in his individual capacity, Charles J. Wyly III, Emily Wyly Lindsey, Jennifer Wyly Lincoln, and James W. Lincoln (the "November 3 Order");

WHEREAS, the plaintiff, Securities and Exchange Commission ("SEC"), filed a corrected amended complaint on November 19, 2014 against Relief Defendants Cheryl Wyly, Evan Acton Wyly, Laurie Wyly Matthews, David Matthews, Lisa Wyly, John Graham, Kelly Wyly O'Donovan, Andrew Wyly, Christiana Wyly, Caroline D. Wyly, Martha Wyly Miller, Donald R. Miller, Jr., in his individual capacity, Charles J. Wyly III, Emily Wyly Lindsey, Jennifer Wyly Lincoln, James W. Lincoln, and persons, trusts, limited partnerships, and other entities known and unknown (collectively, the "Relief Defendants");

WHEREAS, this Court issued a second decision on disgorgement and other relief against Samuel E. Wyly and Donald R. Miller, Jr., in his capacity as the Independent Executor of the Will and Estate of Charles J. Wyly, Jr., on December 19, 2014;

WHEREAS, the named Relief Defendants answered the Amended Complaint on April 6, 2015;

WHEREAS, on April 27, 2015 the SEC submitted to the Court a proposed schedule with respect to discovery and the Pre-Trial Order that was agreed to between the SEC and the Relief Defendants;

WHEREAS on April 28, 2015, the Court directed that the SEC and the Relief Defendants submit a proposed order setting forth such schedule; and

WHEREAS, the SEC and the Relief Defendants agree that the proposed schedule set forth herein obviates the need for expedited discovery as set forth in Section V of the November 3 Order;

NOW, THEREFORE,

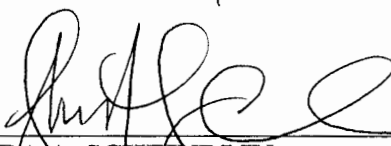
1. The Court sets the following schedule with respect to discovery and pre-trial proceedings for the SEC's action against the Relief Defendants:

| <b>EVENT</b>                                                      | <b>DATE</b>        |
|-------------------------------------------------------------------|--------------------|
| <b>Initial Disclosures</b>                                        | 5/15/2015 (Friday) |
| <b>Commencement of Document Production</b>                        | Already Begun      |
| <b>Commencement of Fact Depositions</b>                           | Already Begun      |
| <b>Identification of Experts and Production of Expert Reports</b> | 2/19/2016 (Friday) |
| <b>Completion of Expert Discovery</b>                             | 3/25/2016 (Friday) |
| <b>Close of Discovery</b>                                         | 4/8/2016 (Friday)  |
| <b>Dispositive and Daubert Motions</b>                            | 4/29/2016 (Friday) |
| <b>SEC Draft of Pre-Trial Order</b>                               | 5/13/2016 (Friday) |
| <b>Submission of Joint Pre-Trial Order</b>                        | 6/13/2016 (Friday) |

2. All discovery shall proceed subject to the normal deadlines and procedures in the Federal Rules of Civil Procedure and any other applicable rules or statutes. Section V of the November 3 Order is hereby vacated.

FINAL PRE-TRIAL CONFERENCE: May 19, 2016 at 4:30

SO ORDERED this 1 day of May, 2015:

  
**SHIRA A. SCHEINDLIN**  
UNITED STATES DISTRICT JUDGE